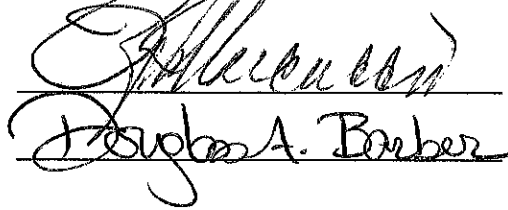


Approved: Meeting No. 24-13

Attest:



Phyllis Marcuccio  
Douglas A. Barber

MAYOR AND COUNCIL  
ROCKVILLE, MARYLAND

April 8, 2013

Meeting No. 12-13

7:00 p.m.

**Present:**

Mayor Phyllis Marcuccio, Councilmember John F. Hall, Jr., Councilmember Tom Moore, Councilmember Bridget Donnell Newton, and Councilmember Mark Pierzchala

**Staff Present:**

City Manager Barbara Matthews, City Clerk/Treasurer Doug Barber, and City Attorney Debra Daniel.

**1. Convene**

The Mayor and Council convened in a regular meeting at 7:03 p.m. on Monday, April 8, 2013, in the Mayor and Council Chambers, City Hall, 111 Maryland Avenue, Rockville, Maryland.

**2. Pledge of Allegiance**

Mayor Marcuccio led the Pledge of Allegiance.

**3. Agenda Review**

City Clerk Barber reported that there were no changes to the agenda.

**4. City Manager's Report**

City Manager Matthews reported:

- City of Rockville is celebrating "Earth Month." The celebration includes a variety of activities geared toward being environmentally friendly.
- Information on the new Financial Advisory Board has been updated on the City's website

## 5. Appointments/Reappointments and Announcements of Vacancies

Mayor Marcuccio announced the appointment of Brigitta Mullican as a member to the Board of Supervisors of Elections to serve out an unexpired term until October 1, 2015.

**Motion:** to approve the appointment of Brigitta Mullican to the Board of Supervisors of Elections as a member to fill an unexpired term until October 1, 2015.

Moved by Councilmember Hall, seconded by Councilmember Pierzchala, and unanimously approved.

Mayor Marcuccio announced the appointment of Ken Sandin, as a member to the Human Rights Commission until April 1, 2016.

**Motion:** to approve the appointment of Ken Sandin to the Human Rights Commission as a member until April 1, 2016.

Moved by Councilmember Moore, seconded by Councilmember Newton, and unanimously approved.

Mayor Marcuccio announced vacancies to the following boards/commissions: Board of Appeals, Financial Advisory Board, Historic District Commission, Human Services Advisory Commission, Human Rights Commission, Landlord Tenant Affairs Commission, and the Planning Commission.

## 6. Citizen's Forum

<i>Citizen</i>	<i>Issue</i>
Norene Stovall	Proposed FY14 Budget regarding increasing the senior resources budget; senior outreach position; communication of the senior events.
Lynn Wagman	Proposed FY14 Budget regarding increasing the senior resources budget; increase senior outreach position required hours; support for the taxi service program.
Anne Goodman	Conservation of Native Trees; the process the City uses in determining when taking down trees.

Maria Luginbill

Thanked the Mayor and Council for allowing her to speak at last week's meeting regarding the Wall Street property; Thanked City Manager Matthews for her prompt response to the situation.

Ruth Hannessian

Supports the Rockville Senior Center; Senior transportation is a priority; Upcoming events scheduled for Science Café; and Cancer Society's Relay for Life event scheduled for Saturday, April 27, 2013.

Brigitta Mullican

Possible volunteers to address the transportation needs for seniors; Open slots available for the upcoming Sister City Trip to China.

#### **7. Mayor and Council's Response to Citizen's Forum and Announcements**

Councilmember Moore

Thanked everyone for coming out; inquiry on the Outreach position at the Senior Center.

#### **8. Mayor and Council Reports**

Councilmember Pierzchala reported that he recently attended the following events: senior birthday party, Environment Commission meeting, and a spring clean-up event with the Environment Commission.

#### **9. Proclamation Declaring April 28, 2013, as Science Day in Rockville**

Mayor Marcuccio read the proclamation and presented it to Mr. Bob Ekman and Mr. David McGinnis of the Rockville Consortium for Science.

**Motion:** to proclaim April 28, 2013 as Science Day in Rockville.

Moved by Councilmember Hall, seconded by Councilmember Newton and unanimously approved.

#### **10. Consent Agenda**

The Mayor and Council posed questions of clarification to Item A of the consent agenda with responses provided by Chief of Engineering Straus and Director of Community Planning

Development Services Swift. The Mayor and Council discussed the approval of the arch with a subsequent discussion about who approves the aesthetics. Ms. Nancy Regelin, representing Duball, LLC, addressed the Mayor and Council. She noted that the arch design was previously approved, but at that time had yet to be designed. She intends to provide the final arch design to the planning commission for review and approval.

Councilmember Pierzchala requested consent agenda item B be removed from the consent agenda.

- A. Authorization to Terminate and Release a Sidewalk Easement along East Middle Lane and a Public Use Easement over Renaissance Street, Which are No Longer Needed for the Duball Project in Rockville Town Center**
- C. Authorization to Approve a License and Maintenance Agreement for Private Stormwater Management System in the Public Right-of-Way (Renaissance Street) Associated with the Duball Project in Rockville Town Center**

**Motion:** to approve Consent Agenda Items A and C

Moved by Councilmember Pierzchala, seconded by Councilmember Hall, and unanimously approved.

- B. Authorization to Approve a License and Maintenance Agreement for Upgraded Materials and Private Amenities in the Public Rights-of-Way (East Middle Lane, Maryland Avenue, Renaissance Street and Monroe Street) Associated with the Duball Project in Rockville Town Center**

**Motion:** to approve Consent Item 10B (authorization to approve a license and maintenance agreement for upgraded materials and private amenities in the public rights-of-way (East Middle Lane, Maryland Avenue, Renaissance Street and Monroe Street) associated with the Duball Project in Rockville Town Center with the understanding that the final decision on the arch will be worked out by the client and the Planning Commission on the final design.

Moved by Councilmember Newton, seconded by Councilmember Hall, and unanimously approved.

#### **11. Public Hearing - FY 2014 Public Hearing on the Constant Yield Tax Rate**

Budget and Finance Manager Webster presented the staff report on the FY 2014 Public Hearing on the Constant Yield Tax Rate.

The Mayor and Council convened in Public Hearing on the FY 2014 Constant Yield Tax Rate at 7:49 p.m. Mayor Marcuccio verified with the City Clerk that the public hearing has been properly advertised.

Mayor Marcuccio indicated that the public record for the FY14 Budget would remain open until May 13, 2013, at 5:00 p.m.

There being no persons wishing to speak, the Mayor and Council closed the public hearing at 7:51 p.m.

**12. Introduction of Resolution to Revise the Schedule of Various User and Regulatory Fees for the City of Rockville**

Introduction of Resolution to Revise the Schedule of Various User and Regulatory Fees for the City of Rockville was introduced by Councilmember Moore.

Budget and Finance Manager Webster provided the staff report on the item. Ms. Webster noted the resolutions provide for changes to fees charged by the Department of Community Planning Development Services (CPDS) and the Department of Public Works. The resolution was first created in June 2011 to combine several different resolutions to make the fees more transparent and more accessible, as they were located in one place. The Mayor and Council were provided with a clean-line version of the proposed resolution, a red-line version of the proposed resolution, and a summary chart with the proposed changes. Ms. Webster noted that the resolution will be discussed at the Mayor and Council worksessions throughout the FY14 Budget process. The final resolution will be presented at the Mayor and Council meeting of May 20, 2013, for adoption. The Mayor and Council addressed city staff with questions of clarification on the proposed fees. City staff provided responses to the questions posed while providing clarification behind the proposed changes in the fees. Many of the proposed fee changes were changed to cover the City costs, while still providing the service.

**13. Discussion - 2013 Report of the Compensation Commission**

The 2013 Compensation Commission Report was presented by Jim Coyle, Chair of the Commission. Mr. Coyle introduced the 2013 Compensation Commissioners present: James Marrinan, Joseph Bradley, and Thomas McKenna. Commissioner Norm Hampton was unable to attend. Mr. Coyle noted the work of the commission and provided a brief commission background. Chair Coyle addressed the commission's concerns that the Mayor and Council stipends have not been kept whole since 2006. While the last adjustment to these stipend levels took place around FY2012 adjusting the Mayor's stipend to \$26,582 and the Council stipend to \$21,265, the Mayor and Council have failed to fund the stipends at these levels. The current stipend paid to the Mayor and Councilmembers stands at \$25,750 for Mayor and \$21,600 for the Councilmembers. The Commission recognizes that extraordinary fiscal circumstances in any given budget cycle can impact the Mayor and Council's budget decisions for that cycle. The Commissioners, as active and committed citizens of Rockville, feel that the Mayor and Council has an obligation to support reasonable increases in the stipends so that the future Mayors and Councilmembers would remain adequately compensated for their commitment to the City. The Commission is not requesting the Mayor and Council try to rectify the past, but noted that if they had followed past Commission recommendations by using the CPI-U, the totals would be closer to \$30,000 for the Mayor and \$25,000 for the Council. The overall result has been that the values of the stipend for the Mayor and Council have fallen behind the baseline target set back in 2005. Mr. Coyle responded to questions posed by the Mayor and Council on the Commission's report. Mr. Coyle thanked city staff for their work with the Commission. City

Attorney Daniel provided clarification to the Mayor and Council as stated in the City's Code the requirements of the Mayor and Council in their accepting or rejecting the Compensation Commission's recommendation. The Mayor and Council noted that two things need to happen: (1) to accept or reject the report and; (2) to have the stipends funded.

**Motion:** to accept the recommendation of the Compensation Commission as follows: For Fiscal Year 2015 and 2016, the monetary compensation for the Mayor and Council be increased over the current approved stipend amounts of \$26,581 and \$21,265 respectively, by the positive change, if any, in the Washington-Baltimore CPI-U for the twelve months preceding the previous November.

Moved by Councilmember Moore seconded by Councilmember Pierzchala. The motion passed with Councilmember Hall, Councilmember Moore, Councilmember Newton, and Councilmember Pierzchala voting for and Mayor Marcuccio voting against.

#### **14. Worksession - Fiscal Year (FY) 2014 Mayor and Council Budget Worksession #1**

Budget and Finance Manager Webster provided the Mayor and Council with the staff report on the item. Ms. Webster noted that this is the first budget worksession scheduled for the Mayor and Council to discuss the proposed operating Budget for FY2014. Ms. Webster reviewed the schedule of the Budget Worksession for FY14 as follows: April 8, 2013 – Operating Budget Overview; April 15, 2013 – Utility Rate and CIP Budget Overview; April 29, 2013 – Staff follow-up from previous Budget Worksession and Public Hearings; and May 6, 2013 – Budget Wrap-Up and Final Direction. The Mayor and Council had an ensuing discussion as city staff reviewed with them the proposed FY14 Budget. Ms. Webster noted any significant changes in departments from FY13 to FY14:

##### **Mayor and Council/ City Clerk – Section 5 (FY14 Budget Book)**

- 100% General Fund
- Total Expenditures = \$711,070, increase of 17.3%
- Total Regular FTE's = 3.0
- Noted significant changes
  - Increase in compensation for the Mayor and Council – noted a change to set the Mayor and Council's salaries at the authorized amounts
  - \$4,300 increase for election costs related to legal notices and inauguration reception (M&C)
  - \$54,500 increase for election costs related to equipment, postage and supplies (Clerk)

The Mayor and Council requested to have the costs of benefits for the Mayor and Council be provided to them.

**City Attorney - Section 6 (FY14 Budget Book)**

- 100% General Fund (funded)
- Total Expenditures = \$979,980, increase of 1.4 %
- Total Regular FTE's = 6.0, no change
- Significant Changes
  - None

**City Manager – Section 7 (FY14 Budget Book)**

- 98% General Fund (funded), 2% Special Activities Fund (funded)
- Total Expenditures = \$3,985,340, decrease of 19.0%
- Total Revenues = \$742,040, no change
- Total Regular FTE's = 25.0, decrease of 10.7%
- Significant Changes
  - Elimination of 1.0 FTE Organizational Development Manager
  - Elimination of 1.0 FTE Graphics and Printing Supervisor (Re-Org.)
  - Elimination of 1.0 FTE Web Assistant (Re-Org.)
  - \$20,000 increase for an outside contractor to provide design assistance for the City's recreation guides
  - \$15,000 decrease in postage due to new employee self service system
  - Rockville 11 will become fully ADA compliant with FCC closed captioning requirements

The Mayor and Council asked for clarification regarding the staffing of the City Manager's Office. The Mayor and Council requested a copy of the City's detailed organizational chart. Ms. Webster noted that the organizational chart will be provided in the final version of the FY14 Budget Book. Ms. Webster noted that she is tracking all budget questions received to date and those questions along with their responses will be provided to the Mayor and Council.

### **Community Planning Development Services (CPDS) – Section 8 (FY14 Budget Book)**

- 92% General Fund (funded), 8% CDBG Fund (funded)
- Total Expenditures = \$5,100,260, increase of 3.3%
- Total Revenues = \$2,209,620, decrease of 0.8%
- Total Regular FTEs = 40.6, no change
- Significant Changes
  - Slight decrease in our CDBG grant due to the federal sequester, decrease of 5.1% or \$11,000.
  - 0.4 FTE of the Rehabilitation Specialist was moved from the CDBG Fund to the General Fund (Mayor and Council requested due to in response to our CDBG Fund decreasing which will help focus the funds on single family rehab and not paying for that position).
  - \$65,000 increase for consultants to assist with improving the development review process (This is a one-time increase to help stream-line that process).

The Mayor and Council discussed the \$65,000 for the cost of consultants to assist with the development review process and ways to stream-line the process. Ms. Webster explained that the focus on the project will be reviewing the following five major areas: zoning; forestry and tree preservation; storm-water management and sediment control; and the comprehensive transportation reports and how to stream-line the process. City staff noted that the review was of internal processes and would not impact public involvement.

### **Finance - Section 9 (FY14 Budget Book)**

- 78% General Fund (funded), 22% (funded) by Water Fund (associated with the water meter readings; water meter services technicians, and supervisor)
- Total Expenditures = \$3,471,540, increase of 1.1%
- Total Regular FTEs = 29.0, no change
- Significant Changes
  - None

The Mayor and Council asked if this figure includes the 1.25% COLA increase to be given to the employees. Ms. Webster noted that the City of Rockville does not have a merit system, so no additional compensation would be included, other than the employee's benefits. Ms. Webster additionally noted that the City Manager is looking at doing a comprehensive classification study. The results would be provided in the next fiscal year. City Manager Matthews responded



to questions from the Mayor and Council regarding the desk audit request, and the process the City follows when presented with an employee request on the matter.

**Human Resources - Section 10 (FY14 Budget Book)**

- 100% General Fund (funded)
- Total Expenditures = \$1,328,890, decrease of 1.0%
- Total Regular FTEs = 10.0, no change
- Significant Changes
  - New Department Director anticipated at the beginning of the Fiscal Year

**Information Technology - Section 11 (FY14 Budget Book)**

- 100% General Fund (funded)
- Total Expenditures = \$3,052,310, increase of 2.1%
- Total Revenue = \$815,200, decrease of 2.8%
- Total Regular FTEs = 16.5, decrease of 5.7%
- Significant Changes
  - Elimination of 1.0 FTE Computer Analyst Programmer
  - \$100,000 increase in lieu of position for contract services related to Lotus Notes support

Ms. Webster provided clarification on the elimination of the 1.0 FTE Computer Analyst Programmer and in lieu of the position request an \$100,000 for contract services related to Lotus Notes Support. Director of IT Cannon provided clarification on the budget request.

**Police - Section 12 Funding (FY14 Budget Book)**

- 86% General Fund, 3% Parking Fund, 11% Speed Camera Fund (areas by which the department is funded)
- Total Expenditures = \$11,221, 240, increase of 2.9%
- Total Revenues = \$6,413,000, increase of 23.2%
- Total Regular FTEs = 91.0, no change
- Significant Changes

- Redlight camera citation revenue and redlight camera vendor fees are expected to increase by \$1.2 million and \$465,000 respectively, due to new cameras that capture right turn on red violations. Ms. Webster noted that these figures factor in the five cameras we have currently running, and the five new cameras we have coming on board in the next few months.

Chief Treschuk responded to questions posed by the Mayor and Council regarding the Redlight Camera Citations program. The Mayor and Council asked Chief Treschuk to provide clarification between the Redlight Camera Citations program (started in 2002) and the Speed Camera Enforcement Program (started in 2009), which he provided.

#### **Public Works - Section 13 (FY14 Budget Book)**

- 30% General, 19% Water, 21% Sewer, 18% Refuse, <1% Speed Camera Funds (areas by which the department is funded)
- Total Expenditures = \$23,732,060, decrease of 0.1%
- Total Revenues = \$876,640, increase of 12.0%
- Total Regular FTEs = 158.6, decrease of 0.3%
- Significant Changes
  - Elimination of 0.5 FTE Secretary II
  - \$122,000 increase for Water Treatment Plant chemicals (meets new EPA regulations)
  - \$35,000 increase for the bus shelter program due to termination of advertising contract
  - Transfer of 1.0 FTE Engineer from Water Fund to General Fund
  - \$139,520 reduction in recycling process and dump fees
  - \$22,510 increase for additional line striping
  - \$100,000 increase in permit revenues
  - \$100,900 decrease in sale of recycling revenues

Budget and Finance Manager Webster and Deputy Director of Public Works Ding responded to questions of clarification posed by the Mayor and Council regarding the significant changes being proposed in the Department of Public Works FY14 Budget. Director of Finance Cohen responded to questions posed regarding the consideration to options the Mayor and Council may consider regarding the water fund, sewer fund, and the stormwater management fund, as

to whether to bond, or to affix fees, when addressing certain projects with relationship to those funds.

#### **Recreation and Parks - Section 14 (FY14 Budget Book)**

- 98% General Fund, 2% Special Activities Fund
- Total Expenditure = \$20,291,570, decrease of 1.9%
- Total Revenues = \$5,919,790, decrease of 3.9%
- Total Regular FTEs = 139.6, decrease of 2.1%
- Significant Changes
  - Elimination of 1.0 FTE Parks and Facilities Development Manager
  - Outdoor Recreation cost center closed
  - Youth Sports expenditures and revenues decreased by \$25,000 due to RFL hiring its own officials
  - Afterschool reduction of \$14,560 due to restructure
  - Transfer of 0.25 FTE Facilities Maintenance Specialist from the Parking Fund to the General Fund
  - Resident companies (RESCO) ticket sales will no longer pass through the budget creating an equal reduction in revenues and expenditures of \$238,000
  - Nature Center Fund closed
  - Elimination of 2.0 FTE Laborers in Parks and Open Space Division
  - \$80,000 increase in lieu of positions for contract services related to parks maintenance
  - \$32,870 increase for equipment to help with post-storm debris removal
  - \$56,000 increase in Forestry Development Review cost center to assist with inspections
  - \$25,000 increase in Horticulture cost center for one-time park improvements near the new development in Town Center (consistent with agreement with Duball for improvements)

Budget and Finance Manager Webster closed by noting upcoming meetings for the FY2014 Budget Calendar.

## **15. 2013 Federal Priorities**

Assistant to the City Manager Moran provided the staff report for the 2013 Federal Priorities. The 2013 Federal Priorities are before the Mayor and Council to secure federal funding for Rockville Capital Improvement Project and Policy Priorities. The City has identified specific projects that lend themselves to federal funding. Ms. Moran noted that once the Mayor and Council approve their federal priorities the staff will develop white papers for submittal to the federal delegation and will work with the City's federal lobbyist to advocate for the 2013 federal priorities as follows: (1) Police Technology Upgrade – Multi-jurisdictional partnership to allow Rockville, Gaithersburg, Takoma Park and the Village of Chevy Chase Police Departments to upgrade the regional interoperable radio communications system; (2) Bridge Rehabilitation Program – The funding would enhance the City's comprehensive bridge inspection and rehabilitation program; (3) Sanitary Sewer Rehabilitation Improvement - This project funds the construction of approximately five miles of sanitary sewer rehabilitation at a cost of \$ 3,000,000 identified through a comprehensive Preventative Maintenance Program; (4) Stormwater System Renovation Project – This project funds stormwater management program studies and designs, and the construction of stormwater management facilities, stream restoration and storm drain conveyance projects; (5) Southlawn Lane Project – This project funds the reconstruction of Southlawn Lane between North Horners Lane and East Gude Drive. The project proposed to bring the street to current standards; (6) Gude Drive Multi-Modal Infrastructure Project – This project funds a comprehensive infrastructure upgrade on two sections of Gude Drive owned and maintained by Rockville.

The Mayor and Council discussed at length the proposed 2013 Federal Priorities. Chief Treschuk provided clarification to the Mayor and Council on their questions regarding the School Resource Officer Program. Chief Engineer Straus responded to questions related to the Bridge Rehabilitation Program. Deputy Director of Public Works Ding addressed comments and concerns expressed by the Mayor and Council regarding to the Southlawn Lane Project.

**Motion:** to approve the 2013 Federal Priorities as presented for submittal to the Federal Delegation for consideration through competitive grant funding sources.

Moved by Councilmember Hall and seconded by Councilmember Moore, and passed with Mayor Marcuccio voting against.

## **16. Review and Comment Regarding Mayor and Council Action Report**

The Mayor and Council thanked staff for posting information on the new Financial Advisory Board on the web. The Mayor and Council discussed the tracking of future agenda items. City Manager Matthews and City Clerk Barber are working together to find the best process to keep track of agenda items.

**17. Review and Comment Regarding Future Agendas**

The Mayor and Council requested clarification and status on the following items: Charter Review Commission Follow-Up (scheduled for April 15, 2013); Mansionization; APFO Master Plan (scheduled for May 13, 2013, for discussion)

**18. Old/New Business**

Mayor Marcuccio commented on an incentive to create an efforts measurement tool for the three positions that report directly to the Mayor and Council: City Attorney, City Clerk/Treasurer (1st year), and City Manager (6 months). She invited the listening audience to provide public input on this initiative.

**19. Adjournment**

There being no further business, the meeting adjourned at 10:22 p.m.

**Motion:** to adjourn

Moved by Councilmember Newton and seconded by Councilmember Pierzchala.